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CONGRESSWOMAN SHEILA JACKSON LEE HOUSE JUDICIARY COMMITTEE COMMITTEE STATEMENT IN SUPPORT OF: H.RES.243 MARCH 26, 2019

- This is a very important markup of the Judiciary Committee
- It is important for a number of reasons.
- As we all know, the Mueller Report was submitted to the Justice Department last week
- On Friday, the Attorney General notified the Chairs and the Ranking Members of the House and Senate Judiciary Committees that consistent with federal regulations, he was required to notify certain members of Congress of the completion of the Inquiry
- Barr promised that he would deliver certain "top-line" conclusions over the weekend

- And what he delivered over the weekend raised more questions than answers
- First, he quoted the Mueller Report when he indicated that the "the investigation did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities."
- This is not "no conclusion," as the President has proclaimed, and this is not "no evidence." What occurred over the weekend was: a third party's characterization of an investigation.
- And, it is our understanding that the Mueller investigation did not take a position on whether the president committed obstruction of justice
- The letter specifically said that the Special Counsel declined to make a traditional prosecutorial judgment on the issue of Obstruction of Justice – why is that?
- Then, in the next sentence, Barr says "the Special Counsel therefore did not draw a conclusion one way or another as to whether the examined conduct constituted obstruction."
- That is not necessarily true We do not know this for a fact.
- And Barr's act of placing these two assertions next to one another, and logically tying them together in this fashion—that Mueller refused a traditional prosecutorial decision and that therefore he did not make a conclusion about obstruction—does not logically follow and is not evident from the Mueller Report.

- We will not know unless we see the Mueller Report
- We must see the underlying Mueller Report
- This is all the more the case given the fact that all reporting indicates that Mueller was laying the issue properly before Congress, as the issues included "<u>difficult questions of law</u> and fact"
- But there are other compelling parts of this narrative that merit consideration
- First of all, it is not Barr's place to decide whether the President committed obstruction of justice, especially when considering the fact the Justice Department has indicated that a president cannot be indicted
- Therefore it is left to the popularly elected branches of government: **Congress** to determine if the president's conduct was an affront to his constitutional oath to uphold, protect and defend the constitution
- This is why we need to see the full Mueller Report so that we can determine for ourselves the nature of the President's conduct
- We need transparency so we can determine exactly what transpired in this investigation
- As a coequal branch of government, the Congress has a constitutional responsibility to see it

- And I would also add that we have a unanimous resolution of the House of Representatives which is bipartisan
- We should respect the virtue we are about to uphold today transparency – and with the House vote to release the Mueller Report
- We have not yet read the Mueller Report all we know is based on the characterization of a political appointee
- This brings me back to the Resolution of Inquiry brought by my Republican friends at issue at today's Markup
- The Republicans on this committee are in the minority for the first time in eight years
- And they are experiencing what many of us experienced during the last two years when some members of the dais on this side were in the minority
- And that was the need to get information from the administration when your party is in the minority
- Mr. Chairman when Democrats were in the minority, we put forth several of Resolutions of Inquiry and all were voted down by the Republicans on a party line vote
- All we were seeking was information related to our legitimate oversight functions
- All we wanted then was documentation seeking to explain the outrageous conduct we were seeing coming from this president

- Come now the Republicans who seek their own resolution of inquiry – this is an unusual situation as it is a minority party seeking documents from its own party in the White House
- But democrats we believe in transparency and we believe in letting information come to light and letting our sovereigns – the American people – to determine what should be done with this information
- So Mr. Chairman I am prepared to support the Resolution of Inquiry put forth by the Republicans
- I support it because I believe sunlight is the best disinfectant and because I believe in transparency
- I am also supporting the Resolution because I believe it is important to compel the administration to produce documents because it comports with our Article I responsibility to perform oversight on this matter
- Thank you Mr. Chairman I yield back my time.